

ASSEMBLY, No. 6045

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED DECEMBER 5, 2019

Sponsored by:

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

Assemblyman Caputo and Assemblywoman Reynolds-Jackson

SYNOPSIS

Requires board of education to employ nurse in each school building within school district.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/17/2019)

1 AN ACT concerning school nurses and amending P.L.1999, c.153.

2

3 **BE IT ENACTED** *by the Senate and General Assembly of the State*
4 *of New Jersey:*

5

6 1. Section 2 of P.L.1999, c.153 (C.18A:40-3.3) is amended to
7 read as follows:

8 2. a. A school district shall only utilize or employ for the
9 provision of nursing services in the public schools of the district
10 persons holding an educational services certificate with an
11 endorsement as a school nurse issued by the State Board of
12 Examiners, except for those non-nursing personnel who are
13 otherwise authorized by statute or regulation to perform specific
14 health related services. Special education students and those with
15 medical needs requiring specialized care shall have that care
16 rendered by an appropriate provider as appointed by the State Board
17 of Education. No person shall be issued such certificate unless the
18 person is licensed as a registered nurse pursuant to the provisions of
19 P.L.1947, c.262 (C.45:11-23 et seq.) and meets all of the
20 requirements prescribed by the board for a nursing endorsement. A
21 school district **[may]** shall supplement the services provided by the
22 certified school nurse with non-certified nurses **[**, provided that the
23 non-certified nurse is assigned to the same school building or
24 school complex as the certified school nurse**]** to ensure placement
25 of a nurse in each school building in the district.

26 b. A medically fragile student requiring clinical nursing
27 services shall have those services rendered by a provider of clinical
28 nursing services as defined in this subsection. Nothing in this
29 section shall be construed to exclude a licensed health care service
30 firm that is approved to provide private duty nursing under the
31 Medicaid Program and is in compliance with State Board of
32 Education regulations. The parent or legal guardian of a medically
33 fragile student shall have the option to choose a provider to render
34 clinical nursing services to the student, and the State Board of
35 Education shall allow the provider chosen by the parent or legal
36 guardian to render such services to the student only if the cost to the
37 school district remains neutral.

38 As used in this subsection:

39 "Medically fragile student" means a school-aged child who
40 suffers from a life-threatening medical condition, and as a result of
41 such condition, requires more individualized and continuous care
42 than is available from a school nurse.

43 "Clinical nursing services" means specific health care services,
44 based on a medically fragile student's individualized education plan
45 and a physician's or advanced practice nurse's orders, as provided

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 by a registered nurse or licensed practical nurse with specialized
2 pediatric training who attends to the student.

3 "Provider of clinical nursing services" means an agency that
4 renders clinical nursing services and is approved to provide private
5 duty nursing under the Medicaid program pursuant to P.L.1968,
6 c.413 (C.30:4D-1 et seq.) or the NJ FamilyCare Program pursuant
7 to P.L.2005, c.156 (C.30:4J-8 et al.).
8 (cf: P.L.2012, c.5, s.2)

9
10 2. This act shall take effect immediately

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STATEMENT

14

15 Under current law, every school district is required to employ
16 one or more school nurses. A school district may supplement the
17 services provided by a certified school nurse with non-certified
18 nurses as long as the non-certified nurse is assigned to the same
19 school building or complex as the certified school nurse.

20 This bill would require a school district to supplement the
21 services provided by a certified school nurse with non-certified
22 nurses in order to ensure that a nurse is assigned to each school
23 building in the district. This bill also eliminates the requirement
24 that a non-certified nurse be assigned to the same school building or
25 complex as a certified school nurse.